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THE TRADE-UNION ATTITUDE TOWARDS PRISON LABOR

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Trade-unions have been forced to study the problem of convict labor for the most practical of reasons, as one phase of prison labor affected the wage-earner's standard of living.

Prison labor under the contract convict labor system has unquestionably been the means of lowering the wage rate for thousands of wage-earners and in some instances its competition has practically driven an industry from the field. It is because of this competition and for humanitarian reasons that trade-unions have been opposed to its existence. They are strongly opposed to contract convict labor because they believe that it has been brought into existence and extended wherever possible, largely for the personal profit of private parties and because it tends to relieve prison wardens and boards of penitentiary managers from personal responsibilities and administrative duties which would otherwise rest upon them, and in addition, because of their conviction that under this system the prisoners' welfare and reformation are made secondary to the making of profits for the contractors.

One result of prison labor is the displacement of free labor by convict labor either by throwing free workmen out of employment or by doing work which free workmen would otherwise have performed. But if the convict is to be occupied at useful labor during his confinement, this form of competition cannot be altogether avoided, although it might and should be applied so as to work the minimum amount of competition with free labor in view of the large number of unemployed which we find in so many portions of the country.

It is not this phase of the competition of convict labor, however, which has placed the trade-unions in determined opposition against the system of contract convict labor which exists in many of our penal institutions. The trade-unions believe that the most sound economic and humanitarian reasons, as well as reasons of

public policy, require that the prison inmates should labor and that their labor should have a useful object and a market value.

Unfortunately the true attitude of organized labor on this subject is not as well known as it should be. Only recently a prominent publicist whose sympathy with the wage-earners is well known, in discussing the attitude of the trade-unions toward prison labor, made the statement that, "the opposition of the unions to prison labor is another count in the indictment. This rests upon a narrow view of advantage which helps to discredit the trade-unions. Here, again, a small gain to a class is suffered to outweigh a heavy loss to society. The injury which prison labor could inflict upon organized labor is inconsiderable, the damage which would be done to the prisoners by keeping them in idleness is enormous. The unions greatly injure their own cause when they adopt the policy which sacrifices the general welfare to their own interests in a manner so flagrant."

Organized labor has a definite policy on the question of convict labor which it has consistently endeavored to apply; and with which it seeks to secure support from the public. The trade-unions have never advocated that convicts should be kept in idleness; instead they have insisted that convicts should be employed, believing that the convict's reformation would be impossible without useful and healthful labor.

Organized labor, however, has differed radically with some business and political interests as to the manner in which convicts should be employed and the conditions which should surround them while at work. They have always vigorously opposed the contract convict labor system, insisting that the convict's labor should not be performed for the private profit of a contractor who is engaged primarily in making money through the forced labor of the unfortunates over whom he has control and whose interest in their reformation is generally a negligible factor.

It is because of their opposition to the contract convict labor system that trade-unions have been accused of being opposed to convict labor for selfish and narrow reasons, by their opponents and those who are not well informed as to organized labor's attitude on the subject.

It is not the work of the convicts as producers which meets with trade-union opposition, nor is it that by working they may keep

some free men idle. It is instead the methods by which prison labor, when performed for the benefit of private contractors, places the product of the convicts' labor on the market and thereby forces reductions in wages upon large numbers of free workmen thereby lowering their standard of living.

To illustrate the trade-union attitude upon this subject let us presume that the state should decide to build an addition to one of its prisons or erect a new public building by convict labor. This would replace the labor of a proportionate number of building trades workmen who otherwise would have been employed.

If instead of erecting a public building with convict labor, the state should give building contractors the privilege of contracting for convict labor and these convicts were placed to work erecting buildings for private individuals in competition with contractors employing free labor, then an entirely different form of competition would be created, for not only would the number of convicts employed displace a proportionate number of free workmen, but the prison labor contractors, because of their much lower labor costs, would force the private building contractors to reduce wages or drive them from the field. It is against this form of convict labor competition that the trade-unions object.

In the iron molder's trade, stove hollow ware has been practically driven out of the foundries in the United States through the competition of similar ware made by contract convict labor, for the molders could not exist on the wages for which they would have to work to compete with the convict, whose labor is sold to the contractor for as low as sixty-five cents per day.

There are many other vital reasons why the trade-unions are opposed to the selling of convict labor to private contractors. It is an injury to every employer who is forced to meet with this system's competition. If the convict is to be worked for profit, then his work should be done for the benefit of those dependent upon him, and for the state, with a principal view to his reformation and not for the enriching of private contractors. It is an inhuman system which turns our prisons and penitentiaries into factories operated for private gain instead of places where the prime object should be the convict's reformation, and his labor of a nature which would tend to assist in this most essential direction.

For years the trade-unions have endeavored through legislative

efforts, to have the convicts employed out of doors as much as possible, where the sunshine and pure air would build up the physical man and give that rugged health which would enable the unfortunates upon their release to have clear heads and strong bodies, instead of being the pallid wrecks which so often leave the prison door, nerveless, dejected and unfit to undertake the task of reclaiming their places as useful members of society or to properly support themselves through their labor. The trade-unions insist that convicts shall be employed, but they are equally insistent that this labor shall be performed under conditions which will tend primarily toward their reformation.

It is recognized to-day by practically all students of the question that the majority of inmates in our penal institutions are largely the victims of circumstances for which society is partly responsible. If this is true, then society owes an obligation to the unfortunates which it cannot discharge unless it makes the period of detention an opportunity for reformation, a period during which the prisoners' physical and moral condition will be developed to a higher plane.

Practical considerations have led the trade-unions to believe that the contract convict labor system is as great a crime committed by society against the average prisoner as the act which may have made it necessary to place the unfortunate within the prison walls. The conviction is growing among trades-unions that the idea of profit even to the state should be eliminated from prison labor.

Society's main object in confining the law-breaker is to safeguard itself from those who are inherently vicious and from the much larger number who have fallen into evil ways and whose reformation is not only possible, but most probable, if the conditions surrounding confinement are of a proper nature.

The labor should be of a character which would teach the prisoner to use his head and his hands, and any labor which does not require the use of both, such as the operation of a semi-automatic machine or the continuous and monotonous repetition in the manufacture of small articles such as brushes, or the operation of a sewing machine on garments must have as fatal an influence against reformation as the monotonous work in some of our factories has on the development of mental and physical growth.

There is a popular but erroneous impression that the prisoners

in our penal institutions are given an opportunity of learning a trade during confinement and that the prison or reformatory can be made the stepping stone to a trade, but those who have benefited the most by this are those who have derived private profit from the convict's labor.

The so-called "trades" taught in our penal institutions do not educate the prisoner and fit him to work as a mechanic after his release. Of what practical value is the experience which the convict acquires while working upon the weaving of wicker work, the making of cheap shirts and overalls, or on brushes or brooms or the one or two operations in connection with the making of cheap shoes? Even though the convict should become exceptionally expert in any of these lines of labor, he would find himself, upon his release, qualified to work only in those branches of industry which pay the lowest of wages, and in no sense would he be qualified to hold his own as a competent mechanic. In fact, it would seem that much of the work in our penal institutions has been largely of a nature to handicap rather than prepare the convict to earn a livelihood upon his release.

There is much work requiring the use of both brain and the hands which is necessary in connection with the maintaining of our state and eleemosynary institutions which could and should be done by convicts. There are highways to build, there is farm produce to be provided, there are many articles required in connection with our public institutions, and the convicts can work on all of these with a minimum of competition with free labor and with no injury to the farmer.

For this work the trade-unions believe the convict should be paid by the state so that he may be made to realize that the state does not rob him of his labor—a common impression among the convicts to-day—but that his confinement has been made necessary for his own good and the safety of society and that during this confinement society is discharging its obligations to him, giving him an opportunity of reformation, and enabling him to earn money which will save him from actual want upon his release, and what is equally as important, enable him during confinement to provide for those who are dependent upon him and who without his assistance are forced in many instances to depend upon private charity.

A husband who is confined for a year or more is likely to find

the family ties severed upon his release. The wife has been forced single-handed to undertake the task of keeping the home for the children and this has frequently been an impossibility, the children becoming objects of charitable institutions, and the home, the strongest sheet anchor to hold the convict upon his release, has been destroyed because the bread winner, during his term of confinement, has been unable to contribute to the support of his wife and his offspring.

The trade-unions believe that the convict's labor should be paid for in wages so that there will be a sum to give him when he reenters freedom and something to help support the family who, under the present system, are forced to suffer and to depend in many instances upon others for assistance.

President Gompers, in his report to the Atlanta convention of the American Federation of Labor, in 1911, summed up the trade-union attitude upon this question in the following words: "Prisoners should be required to work not for the private profit of contractors, nor even for the financial profit of the state, but for their reformation and for the benefit of their dependents."

In commenting upon this declaration the committee on the president's report said in part: "We are unalterably opposed to the labor of convicts being let to contractors. We believe that the ultimate solution of the problems will come when the convicts are engaged in the widest possible diversity of industry by hand labor for the use of eleemosynary institutions. By this both body and mind will be strengthened."

These two statements seemed so thoroughly to express the trade-union attitude on the question that Mr. Gompers incorporated them without change in his report submitted to the Rochester convention of the American Federation of Labor in 1912.

Briefly reviewed, the trade-union attitude towards prison labor is that its first object should be the prisoner's reformation, that under no circumstances should any element of private profit enter into consideration, that the labor performed by the prisoner should be of a useful nature and that for this labor the convict should be paid for the benefit of those dependent upon him and for his own assistance upon regaining freedom, and finally that the principal object of the state should be to protect itself from the vicious and unfortunate, to give them an adequate opportunity for reformation but not to derive profit from their labor.